

SOUTHERN PIONEER.

AND CARROLL, CHOCTAW AND TALLAHATCHIE COUNTIES ADVERTISER.

By G. W. H. BROWN.

CARROLLTON, MISSISSIPPI, SATURDAY, APRIL 23, 1842.

VOL. 2.—NO. 7.

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MR. CLAY'S VALEDICTORY.

In the United States Senate, March 31, 1842.

Mr. CLAY rose and said, before offering the motion which it was his intention to submit to the Senate, he desired to make a single observation with regard to a subject which he was about to leave unfinished. He meant the resolutions which he had submitted, proposing certain amendments to the Constitution of the United States. It had been his wish, prior to his retirement, to have obtained a vote upon these resolutions, and also to have replied to the arguments which had been advanced by their opponents; but, owing to the feeble state of his health, he had been unable to enter upon a reply, and, owing to the absence of several of his friends, he had come to the conclusion that it would be better to commit the subject into the hands of the Senate, to be disposed of according to their judgment and discretion, whenever it might come up; and he would dismiss this subject with a simple remark in reference to the conviction which he entertained of the propriety of the different amendments which he had suggested. Those convictions he still deliberately entertained, notwithstanding all that he had heard upon the subject.

And now, continued Mr. Clay, allow me to announce, formally and officially, my retirement from the Senate of the United States, and to present the last motion which I shall ever make within this body; but before making that motion, I trust I shall be pardoned for availing myself of this occasion to make a few observations. At the time of my entry into this body, which took place in December, 1806, I regarded it, and still regard it, as a body which may be compared without disadvantage to any of a similar character which has existed in ancient or modern times; whether we look at it in reference to its dignity, its powers, or the mode of its constitution; and I will also add, whether it be regarded in reference to the amount of ability which I shall leave behind me when I retire from this chamber. In instituting a comparison between the Senate of the United States and similar political institutions of other countries, of France and England, for example, he was sure the comparison might be made without disadvantage to the American Senate. In respect to the constitution of these bodies: In England, with only the exception of the Peers from Ireland and Scotland, and in France with no exception, the component parts, the members of these bodies, hold their places by virtue of no delegated authority, but derive their powers from the crown either by ancient creation of nobility transmitted by force of hereditary descent, or by new patents, as occasion required an increase of their numbers. But here, Mr. President, we have the proud title of being the representatives of sovereign States or Commonwealths. If we look at the powers of these bodies in France and England, and the powers of this Senate, we shall find that the latter are far greater than the former. In both those countries they have the legislative power—in both, the judicial with some modifications, and in both perhaps a more extensive pre-judicial power than is possessed by this Senate; but then the vast and undefined and undefinable power, the treaty-making power, or at least a participation in the conclusions of treaties with foreign Powers, is possessed by this Senate, and is possessed by neither of the others. Another power, too, and one of infinite magnitude, is that of distributing the patronage of a great nation, which is shared by this Senate with the Executive magistrate. In both these respects we stand upon ground different from that occupied by the House of Peers of England and of France. And I repeat that, with respect to the dignity which ordinarily prevails in this body, and with respect to the ability of its members during the long period of my acquaintance with it, without arrogance or presumption, we may say, in proportion to its numbers, the comparison would not be disadvantageous to us compared with any Senate, either of ancient or modern times. Sir, I have long—full of attraction as public service in the Senate of the United States is—a service which might fill the aspirations of the most ambitious heart—I have, nevertheless, long desired to seek that repose which is only to be found in the bosom of one's family—in private life—in one's home. It was my purpose to have terminated my Senatorial career in November, 1840, after the conclusion of the political struggle which characterized that year. But I learned very soon what my own reflections indeed prompted me to suppose would take place, that there would be an extra session; and being desirous, prior to my retirement, to co-operate with my friends in the Senate in restoring, by the adoption of measures best calculated to accomplish that purpose, that degree of prosperity to the country which had been for a time destroyed, I determined upon attending the extra session, which was called, as was well known, by the lamented Harrison. His death, and the succession which took place in consequence of it, produced a new aspect in the affairs of the country. Had he lived, I do not entertain a particle of doubt that those measures, which it was hoped might be accomplished at that session, would have been consummated by a candid co-operation between the Executive branch of the Government and Congress; and, sir, allow me to say, and it is only with respect to the extra session, that I believe if there be any one free from bias and from prejudice, who will look at its transactions in a spirit of candor and of justice, he must come to the conclusion to which, I think, the country generally will come, that, if there be any thing to complain of in connexion with that session, it is not as to what was done and concluded, but as to that which was left unfinished and unaccomplished. After the termination of that session, had Harrison lived, and had the measures which it appeared to me it was desirable to have accomplished been carried, it was my intention to have retired; but I reconsidered that determination, with the vain hope that, at the regular session of Congress, what had been unaccomplished at the extra session, might then be effected, either upon the terms proposed, or in some manner which would be equivalent. But events were announced after the extra session—events, resulting, I believe, in the failure to accomplish certain objects at the extra session; events which seemed to throw upon our friends every where present defeat—this hope, and the occurrence of these events, induced me to attend the regular session, and whether in adversity or in prosperity, to share in the fortunes of my friends. But I came here with the purpose, which I am now about to effectuate, of retiring as soon as I thought I could retire with propriety and decency, from the public councils.

From the year 1806, the period of my entering upon this noble theatre of my political service, with but short intervals, down to the present time, I have been engaged in the service of my country. Of the nature and value of the services which I may have rendered during my long career of public life, it does not become me to speak. History, if she deigns to notice me, and posterity (if a recollection of any humble service which I may have rendered shall be transmitted to posterity) will be the best, truest, and most impartial judges; and to them I defer for a decision upon their value.

But, upon one subject, I may be allowed to speak—As to my public acts and public conduct, they are subjects for the judgment of my fellow-citizens; but my private motives of action—that which prompted me to take the part which I may have done upon great measures during their progress in the national councils—can be known only to the Great Searcher of the human heart and myself; and I trust I shall be pardoned for repeating again a declaration which I made thirty years ago, that whatever error I may have committed, (and doubtless I have committed many during my public service,) I may appeal to the Divine Searcher of hearts for the truth of the declaration which I now make, with pride and confidence, that I have been actuated by no personal motives; that I have sought no personal aggrandizement—no promotion from the advocacy of those various measures on which I have been called to act; that I have had an eye, a single eye, a heart, a single heart, ever devoted to what appeared to be the best interests of the country. Yet, sir, during this long period, I have not escaped the fate of other public men, in this and other countries. I have been often, Mr. President, the object of bitter and unmeasured detraction and calumny. I have borne it, I will not say always with composure, but I have borne it without creating any disturbance. I have borne it, waiting in unshaken and undoubting confidence, that the triumphs of truth and justice would ultimately prevail, and that time would settle all things as they ought to be settled. I have borne them under the conviction, of which no injustice, no wrong, no injury could deprive me, that I did not deserve them, and that He, to whom we are all to be finally and ultimately responsible, would acquit me, whatever injustice I might experience at the hands of my fellow men.

But I have not been unstained during this long course of public service. Every where, on this wide-spread continent, have I enjoyed the benefit of possessing warm-hearted, and enthusiastic, and devoted friends—

friends who knew me, and appreciated justly the motives by which I have been actuated. To them, if I had language to make suitable acknowledgment, I would now take leave to present them, as being all the offering that I can make for their long-continued, persevering, and devoted friendship. But, sir, if I have a difficulty in giving utterance to an expression of the feelings of gratitude which fill my heart towards my friends dispersed throughout this continent, what shall I say, what can I say, at all commensurate with my feelings of gratitude towards that State whose humble servitor I am? I migrated to the State of Kentucky nearly forty-five years ago. I went there as an orphan, who had not yet attained his majority—who had never recognized a father's smile—poor, penniless, without the favor of the great—with an imperfect and inadequate education, limited to the means applicable to such a boy; but scarcely had I set foot upon that generous soil, before I was caressed with parental fondness, patronized with bountiful munificence, and I may add to this, that her choicest honors, often unsolicited, had been freely showered upon me; and when I stood, as it were, in the darkest moments of human existence, abandoned by the world, calumniated by a large portion of my own countrymen, she threw around me her impetrable shield and bore me aloft, and repelled the attacks of malignity and calumny, by which I was assailed. Sir, it is to me an unspeakable pleasure that I am shortly to return to her friendly limits, and that I shall finally deposit (and it will not be long before that day arrives) my last remains under her generous soil, with the remains of her generous and patriotic sons who have preceded me.

Mr. President, a recent epithet (I do not know whether for the purpose of honor or degradation) has been applied to me; and I have been held up to the country as a dictator! Dictator! The idea of dictatorship is drawn from Roman institutions; and there, when it was created, the person who was invested with this tremendous authority concentrated in his own person the whole power of the state. He exercised unlimited control over the property and lives of the citizens of the Commonwealth. He had the power of raising armies, and of raising revenue by taxing the people. If I have been a dictator, what have been the powers which I have been clothed? Have I possessed an army, a navy, a revenue? Have I had the distribution of the patronage of the Government? Have I in short, possessed any power whatever? Sir, if I have been a dictator, I think those who apply the epithet to me must at least admit two things: In the first place, that my dictatorship has been distinguished by no cruel executions, stained by no deeds of blood, soiled by no act of dishonor; and they must no less acknowledge, in the second place, (though I do not know when its commencement bears date, but I suppose, however, that it is intended to be averred from the commencement of the extra session,) that, if I have been invested with or have usurped the dictatorship, I have at least voluntarily surrendered the power within a shorter period than was assigned me by the Roman laws for its continuance.

Mr. President, if to have sought, at the extra session and at this, by co-operation with my friends, to carry out those great measures which the majority of 1840 desired to see adopted and executed; if to have desired to see the currency and exchanges of this country once more regulated; if to have desired to replenish the empty coffers of the Treasury, by an imposition of suitable duties; if to have desired to extend relief to the unfortunate bankrupts of the country, ruined in a great measure by the operation of the previous policy of the Government; if to have desired, by co-operation with my friends, to limit and restrain and regulate the Executive action, because it became dangerous towards the other departments of the Government in my opinion, and in the opinion of the majority of 1840; if to have desired to preserve the honor and credit of the country untarnished, by adequate and suitable provisions for revenue, sufficient for fulfilling all the public engagements; if the faithful purpose of executing all these measures—if an ardent desire to carry out and redeem every pledge which was fairly made by my friends, when struggling for the acquisition of power; if, I say, these efforts and this co-operation constitute my dictatorship, then I suppose I must bear the odium or the honor of the epithet, whichever it may be considered.

Mr. President, that my nature is warm, my temper ardent, my disposition in the public service enthusiastic, I am ready to own. But those who suppose they may have seen any proof of dictation in my conduct, have only mistaken that ardor for what I at least supposed to be patriotic exertions for fulfilling the wishes and expectations by which I hold this seat; they have only mistaken the one for the other.

Mr. President, during my long and arduous services in the public councils, and especially during the last eleven years, in the Senate, the same ardor of temperament has characterized my actions and has no doubt led me, in the heat of debate, in endeavoring to maintain my opinions in reference to the best course to be pursued in the conduct of public affairs, often to use language offensive and susceptible of ungracious interpretation towards my brother Senators.

If there be any who entertain a feeling of dissatisfaction resulting from any circumstances of this kind, I beg to assure them that I

now make the amplest apology. And, on the other hand, I assure the Senate, one and all, without exception and without reserve, that I leave the Senate chamber without carrying with me to my retirement a single feeling of dissatisfaction towards the Senate itself or any one of its members. I go from it under the hope that we shall mutually consign to perpetual oblivion whatever of personal animosities or jealousies may have arisen between us during the repeated collisions of mind with mind.

And now, allow me to submit the motion which is the object that induced me to arise upon this occasion. It is to present the credentials of my friend and successor, who is present to take my place. If, Mr. President, any void could be created by my withdrawal from the Senate of the United States, it will be filled to overflowing by my worthy successor, whose urbanity, gallant bearing, steady adherence to principle, rare and uncommon powers of debate, are well known already in advance to the whole Senate. I move that the credentials be received, and at the proper moment that the oath required be administered. And now, in retiring as I am about to do from the Senate, I beg leave to deposit with my fervent wishes that all the great and patriotic objects for which it was instituted may be accomplished; that the destiny designed for it by the framers of the Constitution may be fulfilled; that the deliberations, now and hereafter, in which it may engage for the good of our common country, may eventuate in the restoration of its prosperity, and in the preservation and maintenance of her honor abroad and her best interests at home.

CIRCULAR.

TO THE ELECTORS OF THE STATE OF MISSISSIPPI.

FELLOW CITIZENS:—

Having been invited to become a candidate for the office of Auditor of Public Accounts, made vacant by the death of Col. Saunders, I respectfully present myself before you in that capacity.

The officer to whom is committed the duty of deciding upon claims against the State—allowing some and rejecting others, according to the laws which prescribe the rule of his action, is charged with a duty, in the performance of which the people have a more immediate interest than in that of any other officer in the Government. I am not vain enough to suppose that I am better able to discharge so responsible a trust than others who are soliciting your suffrages. Of my qualifications it does not become me to speak. The duty will devolve upon you of choosing the officer from the "lights before you," and your decision will be acquiesced in by none more cheerfully than myself.

The duties of the Auditor of Public Accounts being defined by law, are too well known to make it necessary for me to dwell on them. It is sufficient to say that they are not of a political or party character, and that therefore, neither political opinions nor partisan service furnish qualifications for the discharge of them. But I am aware that it is expected of candidates for important offices to avow their political sentiments, and having no wish to conceal mine, I take the occasion to say that I am a democrat. Those of my fellow-citizens who have known me longest are aware that at an early period in the settlement of the Chickasaw Cession, I led the way in the propagation of democratic republican doctrines by the establishment of the first press in the Northern Counties. My opinions of "principles and men" were freely and fully promulgated then. I hold the same opinions now. It is quite obvious, however, that the old party divisions will, for a time at least, be lost sight of or laid aside in our State elections, for a question of more absorbing interest, tho' intrinsically not of more importance—I mean the question which involves the liability of the State for payment of the Union and Planter's Bank Bonds. With regard to the former, I am free to confess that my opinions have recently undergone a change. Not upon the abstract question of repudiation—that I have always disliked, but in relation to the constitutional liability of the State to pay her bonds. Having had more time, opportunities, and means for a thorough examination of the subject that were afforded me during the late election canvass, I am decidedly of opinion that the State has pledged her faith according to the forms and requirements of the Constitution, for payment of both classes of bonds, and that every consideration of justice, honesty, and a regard for the integrity of democratic principles, demands that we should recognize our liability, and make provision for redeeming our plighted faith.

To use the eloquent language of high and unquestioned democratic authority, I believe that the "Mississippi bonds must be paid. To the last dollar, to the last cent, to the last mill,—every pledge of the public faith, whether by the collective whole of our glorious Union, or by any one of its constituent parts—must be honorably redeemed—be the consequences, be the cost what they may."

It will not be expected of me, in a circular, which must necessarily be short, to present reasons for the opinions I hold upon this subject. It will, I trust, be sufficient for those whose views accord with my own, to know what my opinions are. I have given them frankly and unreservedly, because I believe the spirit of repudiation is of most mischievous tendency, and fraught with unmitigated evil to the body politic, in all its relations.—That man has been an idle observer of the signs of the times, who has not discovered in some quarters a fearful proclivity towards the repudiation of all government obligations and contracts? The indications are lamentably strong, that a small-wing of the party known as the anti-bond party, drunk with victory, are determined that the bonds sold for stock in the Planters' Bank, shall also fall beneath the sythe of repudiation!

A portion of the press and of the Legislature have already taken this most extraordinary course. Notwithstanding the Constitution itself, authorized and ratified, in advance, the issuance and sale of the bonds for the purpose of taking stock reserved to the State in the Planters' Bank—although the bonds were sold in good faith, at a high premium, and the money was received and invested in the stock of the Bank—although the State has for years been receiving large dividends upon the stock—notwithstanding all this, men claiming to be republicans, aspiring to be party leaders, and cognizant of all the facts, are found willing to say that the State is not bound to pay these bonds! Men who have long ranked as democrats, are ringing the changes upon the catch words fund-mongers,—stock-jobbers,—thieves, swindlers, &c., as though the people were unwilling to give, even the devil, his due—as though common honesty did not dictate that we should pay, even a thief, if we have consensated to deal with him and got his money.

Our repudiators have discovered that it was "excellent to have a giant strength," but they have not yet learned that "it is tyrannous to use it like a giant." The repudiation of the Planters' Bank bonds, I can regard in no other light than a refusal to pay, simply because we can refuse, without even the shadow of a shade of pretence for it, founded either in plausibility, common sense or common honesty. But this factious spirit does not even stop here; I have seen a hint thrown out, that it would be no more than justice that the holders of Treasury warrants, who have bought them at a depreciation, should receive no more for them at the Treasury than they gave!! I am totally opposed to this spirit in all its phases, and in favor of maintaining and sacredly preserving the faith of the State.—I shall therefore contribute my humble efforts, whether in a public or private station, to the attainment of that great end.

Fellow-citizens—I have thus briefly expressed my opinions upon the great subject which most interests us as republicans, as honest men, and as Mississippians. If I should receive a majority of your votes for Auditor of Public Accounts, I can only give that pledge in advance, which all candidates are ready to give, that the duties of the office shall be discharged to the best of my ability.

CHARLES A. BRADFORD.
Pontotoc, April 2nd, 1842.

IMPORTANT DECISION.—We learn from the Globe that the following important opinion was given in the Supreme Court of the United States at Washington.

In the case of Swift against Tyson, the Court decides—

1st. That the thirty-fourth section of the Judiciary act of 1789, making "the laws of the several States the rules of decision in the Courts of the United States where they apply," only extends to the statutes and permanent local usages of a State, and not to the judicial decisions of the States upon questions of general commercial law.

2nd. That a pre-existing debt is such a consideration for the regular transfer of a negotiable instrument as enables a bona fide holder to enforce it, free from the exceptions to which it might be liable, between the original parties to the instrument.

The rumor of 21,000 Mexicans having entered Texas, turns out to be untrue.